

RESOLUTION 2016-05-02

**A RESOLUTION OF THE WARSAW COUNCIL OF THE CITY OF WARSAW, INDIANA
ADOPTION OF TITLE VI COORDINATOR AND GRIEVANCE PROCEDURES**

WHEREAS, The City of Warsaw, Indiana affirms its commitment by providing meaningful opportunities and access to municipal facilities, programs, activities and services, and is required to conform to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, national origin, gender, disability or income status.

WHEREAS, The City of Warsaw acknowledges its responsibility to develop an Title VI Implementation Plan, Non-Discrimination Policies, Public Access to Facilities, Programs, Activities & Services Policies, and will be recognized as a continual and ongoing effort to comply with various laws, such as but may not be limited to: Title VI of the Civil Rights Act of 1964 Implementing Regulations (23 CFR 200), (42 U.S.C. Section 2000d), The Americans with Disabilities Act (42 USC 12131), Title II of the Americans with Disabilities Act Implementing Regulation (28 CFR 35), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Section 504 of the Rehabilitation Act of 1973 Implementing Regulation (49 CFR 27), and

WHEREAS, to be in compliance with Title VI and to be included in a Title VI Implementation Plan, the City of Warsaw shall name the Title VI Coordinator, and

WHEREAS, to be in compliance with Title VI and to be included in a Title VI Implementation Plan, the City of Warsaw shall adopt a grievance procedure for resolving complaints alleging violation of Title VI; and

WHEREAS, to be in compliance with Title VI and to be included in a Title VI Implementation Plan, the City of Warsaw shall publish notice to the public on its website, and by other means necessary.

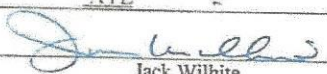
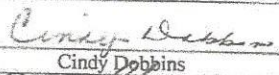
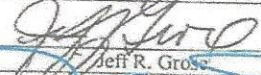
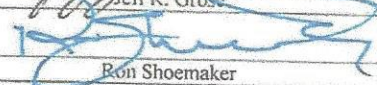
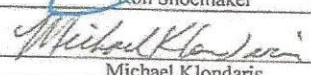
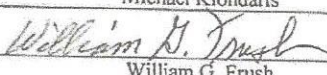
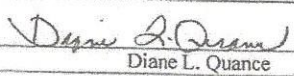
NOW, THEREFORE, BE IT RESOLVED by the Warsaw Common Council of the City of Warsaw, Indiana:

The Human Resources Director is designated as the Title VI Coordinator for the City of Warsaw.

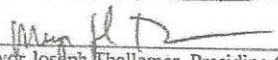
The Notice under Title VI, a copy of which is attached hereto, is adopted as the City of Warsaw Notice under Title VI.

The City of Warsaw Grievance Procedure under Title VI, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of Title VI, Non-Discrimination Policies, Public Access to Facilities, Programs, Activities & Services.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2016.

<u>AYE</u>	<u>NAY</u>
 Jack Wilhite	Jack Wilhite
 Cindy Dobbins	Cindy Dobbins
 Jeff R. Grose	Jeff R. Grose
 Ron Shoemaker	Ron Shoemaker
 Michael Klondaris	Michael Klondaris
 William G. Frush	William G. Frush
 Diane L. Quance	Diane L. Quance

PRESENTED TO AND APPROVED by me on this 16th day of May, 2016.


Mayor Joseph Thallemer, Presiding Officer
Common Council, City of Warsaw

ATTEST:


Lynne Christiansen, Clerk-Treasurer



THE CITY OF WARSAW, INDIANA
TITLE VI – NOTICE

**NON-DISCRIMINATION POLICIES, PUBLIC ACCESS TO
FACILITIES, PROGRAMS, ACTIVITIES & SERVICES**

The City of Warsaw (hereafter referred to as "City") is required to conform to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, national origin, gender, disability or income status.

The City assures that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 Title 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S.557] March 22, 1988).

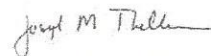
Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC §794), the City hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from Federal financial assistance.

In the event the City distributes federal aid funds to a sub-recipient, the City will include Title VI language in all written agreements and will monitor for compliance. The City's Title VI Coordinator is Jennifer Whitaker, Human Resources Director, City of Warsaw, 102 S. Buffalo Street, Warsaw, IN 46580. (574) 372-3373-office, (574) 372-3256-fax, email: jwhitaker@warsaw.in.gov.

Additionally, the City of Warsaw values each individual's civil rights and intends to provide equal opportunity and equitable services for the residents and patrons of the city, and acknowledges throughout the years, additional regulations, statutes, directives and executive orders have been passed which expand the breadth of Title VI, and has endeavored to provide non-discrimination in all areas (including employment opportunities).

Therefore, regardless of receiving federally funds, the City of Warsaw prohibits discrimination and/or the exclusion of individuals from employment or participation opportunities, its municipal facilities, programs, activities and services not only based on the individual person's race, color, national origin, disability, sex, age, low income status or limited English proficiency (Title VI), but also individual person's religion, citizenship status, military status, genetic information, or any other category protected under federal, state, or local law. Further, irrespective of whether sexual orientation or transgender status are legally-protected statuses, the City does not tolerate discrimination on the basis of sexual orientation or transgender status.

The City of Warsaw has recognized these tenets, to include INDOT's annual Pre-Awarding Certification Process pertaining to the Local Public Agency (LPA) and all other Grant opportunities, and will continue to monitor policies for compliance.



Joseph Thallemer, Mayor
City of Warsaw

5/16/2016

Date

City of Warsaw, Indiana

TITLE VI - GRIEVANCE PROCEDURES



Any person may who believes that he or she as a member of a protected class, has been discriminated against based on race, sex, age, color, religion, national origin, disability, citizenship status, military status, genetic information, or any other category protected under federal, state, or local law which may include low income status, or limited English proficiency may file a complaint. Further, irrespective of whether sexual orientation or transgender status are legally-protected statuses, the City does not tolerate discrimination on the basis of sexual orientation or transgender status, or in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person.

It is the policy of the City of Warsaw to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Individuals with requests for services, questions or complaints concerning "Section 504 of the ADA" or "Title VI Non-Discrimination Policy on Public Access to Facilities, Programs, Activities & Services, Employment or Participation Opportunities" should submit a written or verbal complaint to the Title VI Coordinator.

Title VI Coordinator

Jennifer Whitaker, Human Resources Director,
City of Warsaw, 102 S. Buffalo Street,
Warsaw, IN 46580
(574) 372-3373-office
(574) 372-3256-fax
email: jwhitaker@warsaw.in.gov

The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found on the City's website (www.warsaw.in.gov) or at City Hall located at 102 S. Buffalo Street, Warsaw, IN 46580. Although it is highly recommended, individuals are not required to use the City's complaint form. If necessary, the City will help an individual reduce their complaint to writing for signature.

Generally, a complaint should include the name, address and telephone number of the individual complaining (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Within 60 days of the receipt of the complaint the City will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The City will try to obtain an informal voluntary resolution to all complaints at the lowest level possible. A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential. These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation
Economic Opportunity Division
100 N. Senate, Room N750
Indianapolis, IN 46204
Phone: (317) 233-6511
Fax: (317) 233-0891

Indianapolis District EEOC Office
101 West Ohio Street, Ste 1900
Indianapolis, IN 46204
Phone: (800) 669-4000
Fax: (317) 226-7953
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission
100 N. Senate Ave., Room N103
Indianapolis, IN 46204
Toll Free: 1 (800) 628-2909
Phone: (317) 232-2600
Fax: (317) 232-6560
Hearing Impaired: 1 (800) 743-3336